

# Exhibit 14



# TOWN OF EAST HAMPTON

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FOR IMMEDIATE RELEASE

## **EAST HAMPTON TOWN TAKES ACTION TO ADDRESS AIRPORT TRAFFIC, NOISE, SAFETY, ENVIRONMENTAL CONCERNS**

**Town will deactivate East Hampton Airport, open new publicly owned private-use facility to operate under “prior permission required” framework**

*Move will provide town with maximum flexibility to enact use restrictions; retains right to close new airport completely if limits don’t provide needed community relief*

The East Hampton Town Board will take full advantage of the opportunity to make significant changes at the East Hampton Airport in order to rein in use of the airport by an increasing number of helicopters, jets, and other aircraft that have had an intensifying community impact, prompting thousands of complaints about noise and other concerns.

With a resolution at its Thursday, Jan. 20, meeting, the board is expected to agree to “deactivate” East Hampton Airport. Then, in early March, the board is expected to open a new, publicly owned private-use airport at the site of the former East Hampton Airport under a “Prior Permission Required” framework. The PPR framework will allow the implementation and enforcement of use restrictions to limit airport traffic and noise, while also addressing safety, environmental, and other concerns.

The parameters of the “Prior Permission Required,” or PPR, program would be developed, presented to the public for discussion and comment, and set in place before the start of the summer season in May.

Limits can include defining aircraft operations for which permission will not be granted and authorizing airport use rights for certain users, such as establishing restrictions based on time of day, type of aircraft, noise level, type of operation (ie, commercial or private), and on environmental factors, such as the use of leaded aviation fuel, or electric aircraft.

After consideration of five possible legal courses of action, identified through analysis and in discussions with the Federal Aviation Administration — which outlined several of the options in a November 2020, letter to the Town — the Town Board after consultation with aviation

attorney, Cooley LLC, and the community has recommended the closure of the East Hampton Airport and opening of a new private use airport.

Closing the airport and opening a new private facility will provide the town with “maximum flexibility,” according to the attorneys, who made a presentation at a town board work session today, and as noted by the FAA in the November 2020 letter, this process will extinguish legal obligations that could restrict future airport regulation.

“Obtaining maximum local control will provide the Town with flexibility to implement and adjust restrictions consistent with the community’s evolving needs,” they said in their recommendation. Under the PPR system, prior permission from the Town would be needed in order that an airport user could “have full operational use of a runway, taxiway, apron, or airport facility/service,” according to an F.A.A. definition.

The Town could grant, withdraw, or revise permissions as needed, and would retain the ability to permanently close the new airport if the PPR restrictions do not meet community needs. The impact of the operational restrictions would be tracked and assessed during the upcoming season as part of an environmental impact statement under the New York State Environmental Quality Review Act (SEQRA).

The time between the closure of the East Hampton Airport and opening of a new private use facility could be designed for minimum disruption, the Cooley attorneys said. According to a recommended timeline, following the submission of required notice to the F.A.A., the airport closure would be scheduled for Feb. 28, 2022, with the new, private-use airport slated to open on March 4. This timing was discussed with F.A.A. officials as recently as January 6, 2022, during which time it was confirmed that the F.A.A. does not have a “defined period of closure” that would apply to opening of the new private use airport.

Other options regarding the airport’s future that were examined but not recommended included negotiating an agreement with aircraft operators for mandatory restrictions, pursuant to the F.A.A.’s “Part 161” procedure; permanent closure; transitioning to a private airport without a closure and reopening, and maintaining the status quo.

The majority of the public has indicated that allowing the airport to continue operating as it has been is unacceptable, and that traffic volume, noise, environmental, and safety concerns must be addressed.

East Hampton Town gained the ability to adopt airport use restrictions, transition to a private airport, or even to close the airport altogether, with the Sept. 25, 2021, expiration of grant assurances, or agreements with the F.A.A.

A previous attempt by the Town prior to the expiration of the grant assurances, to institute a curfew and other use restrictions, was overturned by the court.

The decision to close the East Hampton Airport and open the new private use airport as a publicly owned private facility comes at the end of a year-long public engagement process

designed to gather and disseminate information to the public; share essential facts related to conditions at the airport; facilitate discussion and consensus building on future plans for the airport, and to solicit and compile public input and alternatives for board consideration and review.

In addition to public comment on the airport, submitted in writing and at town board meetings throughout the year, in 2021 the town board held eight board work sessions with professional consultants on the airport; conducted four public listening workshops, which drew more than 300 participants; held one-on-one meetings with stakeholders and interest groups, and, during the 2021 summer season, conducted an airport user survey.

The board also commissioned and reviewed a number of in-depth studies and analyses by professional consultants, including:

- A noise and operations report; feasibility study; and curfew and commercial operation analyses prepared by Harris, Miller, Miller and Hansen;
- An economic study and a passenger survey, prepared by HR&A;
- Environmental study by Dr. Don Wuebbles
- A zoning and planning review and a report on the community engagement sessions and public comment, by Dodson & Flinker and Fine Arts and Sciences.

All Airport studies, documents, and presentations are posted on the town website at [EHamptonny.gov](http://EHamptonny.gov).

The town board's consultations with its aviation attorneys, and discussions with F.A.A. officials to chart a feasible course of action have been ongoing.

The process has suggested, according to the resolution slated to be offered at Thursday's town board meeting, that "a balance can be struck between aviation stakeholders and the community such that implementing restrictions or other limitations on operations can address much of the community's concern without foreclosing the ability of certain operators to continue operating out of the new [private use] airport."

The resolution expected on Thursday declares the closure of the East Hampton Airport and opening of the new private use airport to pose no significant adverse environmental impact under SEQRA. However, the long-term operational changes and restrictions in the PPR regulations that will be considered will be subject to SEQRA review with opportunity for public input before becoming final.

Home (<https://nbaa.org/>) > Aircraft Operations (<https://nbaa.org/aircraft-operations/>) > Airports (<https://nbaa.org/aircraft-operations/airports/>) > East Hampton Airport (HTO) – Wainscott, NY (<https://nbaa.org/aircraft-operations/airports/hto/>) > NBAA, GA Groups Urge Town Leaders to Avoid Flawed Path to Restrictions for HTO

# NBAA, GA Groups Urge Town Leaders to Avoid Flawed Path to Restrictions for HTO




*March 23, 2021*


NBAA recently joined with five other aviation groups in advising officials in East Hampton, NY that they may not have considered all the ramifications of their plan to convert the East Hampton Airport (HTO) to a “new,” private-use facility, and cautioned their plan to nominally close and reopen the airport would not gain them the ability to implement operational restrictions.

Town officials last month voted to delay until May 17 a plan to deactivate HTO and reopen the facility two days later under a prior permission required (PPR) program that could include curfews, frequency limitations for commercial and noisy operations, weight limitations and other restrictions.

In written comments to the town, the associations noted the FAA has yet to determine whether such a “logistically risky conversion process” would grant the town the “local control” it seeks to implement the PPR.

In particular, the groups reaffirmed their position that the town’s proposal would not release it from numerous federal requirements to maintain open access to HTO, including the Airport Noise and Capacity Act of 1990 (ANCA) and both the statutory and implied preemptive authority of the FAA.

 Read the groups’ comments to the town of East Hampton. (<https://nbaa.org/wp-content/uploads/aircraft-operations/airports/hto/20220318-GA-Associations-Joint-Comments-Proposed-PPR.pdf>)

 View the town’s presentation on a series of operational restrictions being considered. (<https://nbaa.org/wp-content/uploads/aircraft-operations/airports/hto/20220301-East-Hampton-Airport-Proposed-PPR-Framework-2022-Season.pdf>)

“We respectfully submit there is simply no authority for the notion that a paper closure of an airport ‘extinguishes’ those obligations,” the letter read. “As a consequence, the town would be well-advised to suspend its consideration of all of the proposals currently under review,” and withdraw its plans to deactivate HTO in its current form.

The signatories also advised the town to consider potentially detrimental effects from several PPR proposals on the table. Those include likely “spillover” to other communities from traffic diverting from HTO, and the financial and logistical burdens for assuming solo responsibility for maintaining the airport.


The groups proposed a mutually-beneficial resolution, emphasizing their willingness to work with the Town. The associations noted that the town officials may have been too quick to discount a solution under Subpart B of FAR Part 161, which authorizes voluntary agreements between airport users and proprietors.

“We recognize that we are at a unique juncture,” the letter read. “We likewise recognize the challenge of navigating the uncharted path to preserve the airport while responding to requests to reduce volume and frequency of operations.

“Our national and regional organizations are looking forward to engaging with the town and the FAA to seek common ground for a solution that would balance the benefits of both commerce and noise-sensitive operations,” the groups concluded.

The other signatories to the letter are the Aircraft Owners and Pilots Association, Eastern Region Helicopter Council, General Aviation Manufacturers Association, Helicopter Association International and National Air Transportation Association.

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